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22 **UNITED STATES DISTRICT COURT**

23 **DISTRICT OF NEVADA**

24 MATTHEW OBIM OKEKE,)
25 Petitioner,) Case No. 2:15-cv-02178-APG-PAL
26 v.)
27 JEH JOHNSON, Secretary of U.S.)
28 Department of Homeland Security, *et al.*,)
29 Respondents.)

30 **ORDER**

31 **JOINT STIPULATION FOR EXTENSION OF DEADLINE TO ANSWER PETITION**
32 **(First Request)**

33 Pursuant to LR 6-1, 6-2, and 7-1, the parties jointly stipulate to extend the deadline for
34 Respondents to answer or otherwise respond to the Petition filed in this matter. In support, the
35 parties state as follows:

1 1. On November 16, 2015, Petitioner filed a petition for writ of mandamus. *See*
2 Pet., ECF No. 1. Specifically, Petitioner seeks an order from the Court “to compel
3 Respondents to act on Petitioner’s completed I-485 Application to Adjust Status.” *Id.* at ¶ 1.

4 2. Plaintiff effected service on Respondents Loretta Lynch, Attorney General of
5 the United States; Jeh Johnson, Secretary of the U.S. Department of Homeland Security; Leon
6 Rodriguez, Director of the U.S. Citizenship and Immigration Services (“USCIS”); Thomas
7 Cioppa, District Director of the Chicago Field Office of USCIS; and Jeanne Kent, Field Office
8 Director of the Nevada-Las Vegas Field Office of USCIS, all in their official capacities. *See*
9 ECF No. 8. According to the civil docket for this matter, Respondents’ answer deadlines are
10 February 1, 2016, and February 2, 2016. *See* Dkt. entry at ECF No. 8.

11 3. Petitioner effected service on the U.S. Attorney for the District of Nevada on
12 February 1, 2016. *See* Fed. R. Civ. P. 4(i). Pursuant to Federal Rule of Civil Procedure
13 12(a)(2), the “United States, a United States agency, or a United States officer or employee
14 sued only in an official capacity must serve an answer to a complaint, counterclaim, or
15 crossclaim within 60 days after service on the United States attorney.” Thus, despite the civil
16 docket entry notation, Respondents’ answer deadline is April 1, 2016. *See* Fed. R. Civ. P.
17 12(a)(2).

18 4. Accordingly, the parties stipulate and agree that good cause exists to correct
19 Respondents’ answer deadline from the deadline noted on ECF No. 8 to the correct answer
20 date of April 1, 2016.

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1 WHEREFORE, the parties stipulate and agree that good cause exists to correct
2 Respondents' answer deadline from February 1 and 2, 2016 to the correct answer date of April
3 1, 2016.

4 Respectfully submitted this 9th day of February 2016.

5 AGWARA & ASSOCIATES

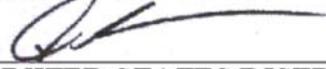
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/s/ T. Monique Peoples
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15 *Attorneys for Respondents*

16 IT IS SO ORDERED:
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19 UNITED STATES DISTRICT JUDGE
20 Dated: February 9, 2016.
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